

Clerk stamps below when form is filed.

1 Protected person's name:

Protected person's address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*):

City: _____ State: _____ Zip: _____

Your phone # (*optional*): (_____) _____Your lawyer (*if you have one*): (*Name, address, phone #, and State Bar #*):

Court name and street address:

Superior Court of California, County of

2 Restrained person's name:

Description of that person: Sex: ☐ M ☐ F Ht.: _____

Wt.: _____ Race: _____ Hair Color: _____

Eye Color: _____ Age: _____ Date of Birth: _____

Case Number:

3 List the full names of all other family or household members protected by this order: _____

4 Court Order

To the person named in ②: This is a court order.

Court will fill out section below.

There was a hearing on (*date*): _____ at (*time*): _____ ☐ a.m. ☐ p.m. Dept.: _____ Rm.: _____

Judge _____ made the orders at the hearing.

The orders end at (*time*): ☐ midnight or _____ ☐ a.m. ☐ p.m. on (*date*): _____.End
Date■ *If no date is written, the restraining orders end 3 years after the date of the hearing.*■ *If no time is written, they end at midnight on the end date.*■ *Note: Custody, visitation, or support orders have different end dates and usually end when the children turn 18.*All orders are on pages 2 and 3 and attachment pages (*if any*).**This is a Court Order.**

Protected person's name: _____

5 ☐ Personal Conduct OrdersThe person in **2** must **not** do the following things to the protected people listed in **1** and **3**:

- a. ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements
- b. ☐ Contact (either directly or indirectly), or telephone, or send messages or mail or e-mail
 - (1) ☐ Except for brief and peaceful contact as required for court ordered visitation of children unless a criminal protective order says otherwise
 - (2) ☐ Except for peaceful written contact through a process server or another person for legal papers related to a court case

6 ☐ Stay-Away OrderThe person in **2** must stay at least _____ yards away from:

- a. ☐ The person listed in **1**
- b. ☐ The people listed in **3**
- c. ☐ Home ☐ Job ☐ Car of person in **1**
- d. ☐ The children's school or child care
- e. ☐ Other (specify): _____

7 ☐ Move-Out OrderThe person in **2** must move out immediately from (address): _____**8 ☐ Child Custody and Visitation** are ordered on the attached Form DV-140 or (specify other form): _____**9 ☐ Child Support** is ordered on the attached Form DV-160 or (specify other form): _____**10 ☒ No Guns or Other Firearms**The person in **2** **cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.****11 ☒ Turn In or Sell Guns or Firearms**The person in **2**:

- Must sell to a licensed gun dealer or turn in to police any guns or firearms that he or she has or controls. This must be done within 48 hours of receiving this order. But if the person in **2** was at a hearing for this order, it must be done within 24 hours of the hearing.
- Must bring a receipt to the court within 72 hours of receiving this order, to prove that guns or firearms have been turned in or sold.

12 ☐ Record Unlawful CommunicationsThe person in **1** has the right to record communications made by the person in **2** that violate the judge's orders.**13 ☐ Batterer Intervention Program**The person in **2** must go to and pay for a 52-week batterer intervention program, and show proof of completion to the court. This program must be approved by the Probation Department.**This is a Court Order.**

Protected person's name: _____

14 ☒ **No Fee to Notify Restrained Person**

If local law enforcement can serve this order, they will do it for free.

15 ☐ **Other Orders** relating to property control, debt payment, attorney fees, restitution, and/or other orders are in attached Form DV-170 or (*specify other form*): _____**16** ☐ **Service**a. ☐ The people in **1** and **2** were at the hearing. No other proof of service is needed.b. ☐ The person in **1** was at the hearing. The person in **2** was not. But Proof of Service of DV-110 was presented to the court.(1) ☐ The judge's orders in this form are the same as DV-110 except for the end date. This order can be served by mail.(2) ☐ The judge's orders in this form are different from DV-110. Someone — not the people in **1** or **3** — must personally "serve" a copy of this order to the person in **2**.c. ☐ The people in **1** and **2** have agreed in writing to this order. No other proof of service is needed.**17** ☐ The people in **1** and **2** must return to this court/department on (*date*): ____/____/____at (*time*): _____ ☐ a.m. ☐ p.m. to review (*specify issues*): _____**18** **Attached Pages Are Orders**

■ Number of pages attached: _____

■ All of the attached pages are part of this order.

Date: _____

_____
*Judge (or Judicial Officer)***Warnings and Notices to the Restrained Person in 2****19** **If you do not obey this order, you can be arrested and charged with a crime.**

■ It is a felony to take or hide a child against this order. You can go to prison and/or pay a fine.

■ If you travel to another state or to tribal lands, or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime under the Violence Against Women Act.

■ If you do not obey this order, you can go to prison and/or pay a fine.

**20** **You Cannot Have Guns or Firearms**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

This is a Court Order.

Protected person's name: _____

Case Number: _____

Instructions for Law Enforcement

21 Start Date and End Date of Orders

The orders *start* the earlier of the following dates:

- The hearing date on page 1 *or*
- The date next to the judge's signature on page 3.

The orders *end* on the end date on page 1. If no end date is listed, they end 3 years from the start date.

22 Arrest Required If Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

23 Notice/Proof of Service

- Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Fam. Code, § 6383.)

Consider the restrained person "served" (noticed) if:

- The officer sees a copy of the Proof of Service, or confirms that the Proof of Service is on file *or*
- The restrained person was at the restraining order hearing, or was informed of the order by an officer (Fam. Code, § 6383, Pen. Code, § 836(c)(2))

24 The Protected Person Cannot Be Arrested for Contacting the Restrained Person

Even if the protected person invites or consents to contact from the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact by the restrained person. The orders can only be changed by another court order. (Pen. Code, § 13710(b).)

25 Child Custody and Visitation

- The custody and visitation orders are on Form DV-140, Items ③ and ④. They are sometimes also written on additional pages, or referenced in DV-140 or other orders that are not part of the restraining order.
- **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

26 Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File, must enforce the orders.

27 Conflicting Orders

If a criminal restraining order (CR-160) conflicts with a civil restraining order (DV-110 or DV-130), enforce the criminal order. Even if the criminal order is older, the officer must still enforce it over the civil order. (Pen. Code, § 136.2(h).) Any nonconflicting terms of the civil restraining order remain in full force.

This is a Court Order.



Protected person's name: _____

Case Number: _____

Certificate of Compliance With VAWA

This protective order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. 2265 (1994) (VAWA). This court has jurisdiction over the parties and the subject matter; the restrained person has been afforded reasonable notice and an opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in all jurisdictions throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

Clerk's Certificate
[seal]

I certify that this Restraining Order After Hearing is a true and correct copy of the original on file in the court.

Date: _____

Clerk, by _____, Deputy

This is a Court Order.